

Eighth Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. §§ 2620; 2623; 2942]

Age: 65		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 5-25-46			
		Account period: 12-3-09 through 12-5-11	
		Accounting: \$141,067.25	
		Beginning POH: \$41,019.74	
		Ending POH: \$25,868.13	
		Conservator: \$1,532.80	
		(10.90 Deputy hours @ \$96/hr and	
		6.4 staff hours @ \$76/hr)	
		Attorney: \$2,000.00 (per local rule)	
		Bond fee: \$373,72	
		Petitioner prays for an order:	
		1. Approving, allowing and settling the	
		eighth account;	
		2. Authorizing the conservator and	
		attorney fees and commissions;	
		3. Payment of the bond fee; and	
		4. Any other orders that the Court	
		considers proper.	
		Reviewed by: skc	
		Reviewed on: 4-5-12	
		Updates:	
		Recommendation:	
		File 1 - Sisk	

			NEEDS/PROBLEMS/COMMENTS: <i>Examiner Notes will not be prepared for this matter.</i>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Updates:
			Contacts:
			Recommendation:
			Reviewed by: skc
			File 2A - Lemos

(1) First and Final Account and Report of Successor Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution [Prob. C. 216; 9202; 10800; 10810; 10951; 11600; 11850(a)]

DOD: 5/7/2007			PUBLIC ADMINISTRATOR , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Account period: 2/4/08 – 11/16/11	<p>Continued from 2/9/12. Minute order states Counsel advises the Court that the claim has been withdrawn, but not the <i>Request for Special Notice</i>.</p> <p>1. Department of Health Services filed a Creditor's Claim in the amount of \$88,999.81. Petition states the State's claim was withdrawn however there is nothing in the file from the Department of Health Services indicating the claim was withdrawn.</p>
Cont. from 020912			Accounting - \$77,081.61	
	Aff.Sub.Wit.		Beginning POH - \$77,037.40	
✓	Verified		Ending POH - \$33,317.55	
✓	Inventory		Administrator - \$2,483.26 (statutory)	
✓	PTC		Administrator X/O - \$1,248.00 (for sale of real property and preparation of tax returns)	
✓	Not.Cred.		Attorney - \$2,483.26 (statutory)	
✓	Notice of Hrg	W/	Bond fee - \$722.63	
✓	Aff.Mail		Court fees - \$366.50 (filing fee and certified copies)	
	Aff.Pub.		Closing - \$1,000.00	
✓	Sp.Ntc.	W/	Petitioner states Robert Garret, decedent's son, was living on the estate's property, which had to be sold. Mr. Garrett refused to leave, and Petitioner served him with a 60 day notice to terminate tenancy. Mr. Garrett left the property without a formal unlawful detainer. However when he left he stripped the house of appliances, which totaled \$500 as of the date of death. He also removed the water heater and connecting plumbing. It is Petitioner's assertion that Robert Garrett should be responsible to reimburse the estate at least 7/8 of \$500 to make the other beneficiaries whole.	
	Pers.Serv.			
	Conf. Screen			
✓	Letters	2/4/08		
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice	N/A	Distribution, pursuant to intestate succession, is to: Ethel Verdot, Darlene Garrett, Kathleen Garrett Chaney, Carolyn Garrett, Richard Garrett, Larry Garrett and Roberta Stricklin - \$3,139.87 each and Robert Garrett - \$2,639.86	

Reviewed by: KT

Reviewed on: 4/6/12

Updates:

Recommendation:

File 3 - Garrett

Atty Fanucchi, Edward L. (for Cecelia Gossett – Successor Administrator)

Amended Motion for Approval of Computation of Surcharge to Personal Representative, Juan Gonzalez, for Unauthorized Withdrawals; Declaration of Edward L. Fanucchi in Support Thereof; and, Request for Order Thereon

DOD: 5-8-08		CECELIA GOSSETT , Successor Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Notice of Hearing filed 3-1-12 included a copy of the <u>original</u> motion that was set for this date. This <u>Amended</u> Motion was set for the same date; however, it does not appear that the interested parties or surety have been served with the <u>Amended</u> Motion (with amended computation, attorney fees, etc.) as filed 3-22-12. The Court may require further service. 2. Need order.
		On 2-22-12, JUAN GONZALEZ , was removed as Administrator and Petitioner was appointed as Successor Administrator with Full IAEA without bond (funds blocked).	
		On 10-26-11, at hearing on the former Administrator's accounting, the Court ordered counsel to compute the monies that were taken by Juan Gonzalez and ordered surcharge at 10% per annum.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Atty Kruthers, Heather H. (for Public Guardian – Conservator)

(1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney and (3) for Dispensation of Further Accounts [Prob. C. §§ 2620; 2623; 2628(b); 2942]

Age: 72 DOB: 02/11/40		PUBLIC GUARDIAN, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 09/22/09 – 12/23/11	
		Accounting - \$2,237.41	
Cont. from		Beginning POH - \$886.13	
	Aff.Sub.Wit.	Ending POH - \$1,327.41	
✓	Verified		
	Inventory	Conservator - \$764.20 (6.10	
	PTC	Deputy hours @ \$96/hr. and 2.35 Staff	
	Not.Cred.	hours @ \$76/hr.)	
✓	Notice of Hrg	Attorney - \$2,000.00	
✓	Aff.Mail	(Per Local Rule)	
	Aff.Pub.	Petitioner requests that due to the	
	Sp.Ntc.	insufficiency of the estate to pay the fees	
	Pers.Serv.	and commissions that a lien be imposed	
	Conf. Screen	upon the estate for any unpaid balances of	
	Letters	the authorized fees and commissions.	
	Duties/Supp	Petitioner states that the conservatorship	
	Objections	estate meets the requirements of Probate	
	Video Receipt	Code § 2628(b) to dispense with further	
	CI Report	accountings. Petitioner requests that the	
	2620(c)	Court dispense with further accountings as	
✓	Order	long as the conservatorship estate continues	
	Aff. Posting	to meet the requirements of Probate Code §	
	Status Rpt	2628(b).	
	UCCJEA	Petitioner prays for an Order:	Reviewed by: JF
	Citation	1. Approving, allowing and settling	Reviewed on: 04/05/12
	FTB Notice	the first account;	Updates:
		2. Authorizing the conservator and	Recommendation:
		attorney fees and commissions;	File 5 - Hernandez
		3. Authorizing Petitioner to impose a	
		lien on the estate for any unpaid	
		balances of authorized fees and	
		commissions; and	
		4. Dispensing with further	
		accountings.	

(1) First and Final Account and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and her Attorney and (3) Distribution

DOD: 11/20/11			PUBLIC GUARDIAN , Conservator, is Petitioner. First & Final Account period: 08/11/11 – 11/20/11 Accounting - \$11,842.33 Beginning POH - \$11,842.33 Ending POH - \$2,255.24 Subsequent to the Final Account period: 11/21/11 – 12/30/11 Accounting - \$14,830.51 Beginning POH - \$2,255.24 Ending POH - \$10,090.55 Conservator - \$6,194.00 (57 Deputy hours @ \$96/hr. and 9.5 Staff hours @ \$76/hr.) Attorney - \$1,500.00 (Less than allowed per Local Rule) Bond Fee - \$25.00 (ok) Costs - \$1,206.00 (filing fees, certified copies) Petitioner requests to distribute the remaining funds of \$1,165.55 as partial payment of conservatees outstanding credit card bill. Petitioner prays for an Order: <ol style="list-style-type: none"> 1. Approving, allowing and settling the first and final account and subsequent to the Final Account; 2. Authorizing the conservator and attorney fees and commissions; 3. Authorizing payment of the bond fee and costs; 4. Authorizing distribution of the remaining assets (\$1,165.55) as partial payment of conservatees credit card bill. 	NEEDS/PROBLEMS/COMMENTS: 1. The Itemization of services of Conservator reflects multiple occasions where time is billed for two deputies. The additional time billed for a second deputy is 8.7 hours @ \$96/hr. = \$835.20. It is unclear why two deputies were needed. The Court may require more information.
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	w/		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: JF

Reviewed on: 04/05/12

Updates:

Recommendation:

File 6 - Slater

**Petition for Order Establishing Special Needs Trust [Prob. C. 3600-3613;
Cal Rules of Cr 7.903 (c)]**

Age: 20		JESUS SOTO , a conserved adult, by his Conservator, CLARA SOTO , is Petitioner.	
DOB: 4-8-1991			
Cont. from 092911, 102711, 120811, 020912		Mr. Soto is disabled and receives needs-based public benefits including SSI and Medi-Cal. He lives with his parents and his mother, Clara Soto, is his Conservator.	
<input type="checkbox"/>	Aff.Sub.Wit.	Mr. Soto will receive approx. \$36,996.25 from a personal injury settlement. Outright distribution of the settlement would eliminate Mr. Soto's eligibility for SSI and Medi-Cal. Therefore, Petitioner seeks to establish a a "safe harbor" or Special Needs Trust under Probate Code §3602- 3613, and an order that Petitioner, through his guardian ad litem Clara Soto, is authorized to sign the proposed Special Needs Trust as grantor.	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		W
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

<p>Petitioner prays for the following findings and order:</p> <ol style="list-style-type: none">That all notices have been given as required by law;That the Court establish the Special Needs Trust, the Petitioner is directed to execute it, and the court has continuing jurisdiction over the Special Needs Trust;That Clara Soto shall serve as initial Trustee without bond, or bond of \$40,000.00;That Petitioner has a disability that substantially impairs his ability to provide for his own care or custody, and constitutes a substantial handicap;That Petitioner is likely to have special needs that will not be met without the trust;That money paid to the trust does not exceed the amount that appears reasonably necessary to meet Petitioner's special needs;That payment of all monies due plaintiff in the lawsuit referenced above shall be paid to the Trustee of the Special Needs Trust after payment of the personal injury Medi-Cal lien;That any proceeds of the settlement received by plaintiff's attorney before the hearing of this petition and deposited into attorney's attorney/client trust account shall not be considered received by Jesus Soto for public benefit eligibility purposes;That the assets of the trust are unavailable to the beneficiary and shall not constitute a resource for eligibility purposes for Medi-Cal, SSI, regional center assistance, or any other program of public benefits;That the Trustee provided the Court with a biennial account and report beginning one year after the date the Court approves the establishment of the trust and every two years thereafter; andSuch other and further orders as the Court may deem just and proper.

<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 12-8-11:</u> Counsel informs the Court that they have been unable to obtain bond for any of the family members. Counsel requests a continuance.</p> <p><u>Minute Order 2-9-12:</u> Counsel informs the Court that he is waiting on an invoice from his client regarding a van, and he will be submitting a petition for the purchase of that van. Matter continued to 4-12-12.</p> <p><u>As of 4-5-12,</u> nothing further has been filed (since 8-19-11). The following issues remain:</p> <ol style="list-style-type: none">Petitioner requests appointment without bond or bond in the amount of \$40,000.00. If bond is waived, the court may require deposit to a blocked account. If required, Examiner calculates that bond, including cost of recovery per Probate Code §2320(c)(4), should be \$41,916.75.The Trust allows distributions in the Trustee's "sole and absolute discretion." The Court may require clarification between <i>disbursements</i> for special needs, which may be made in the Trustee's good faith discretion without court approval, and <i>distributions</i>, which may require court approval. (This language would ensure that certain items purchased, such as equipment or a vehicle, would be assets of the trust, rather than "distributions.")Petitioner requests accountings be required every two years after the first account; however, the Court may require language per Probate Code §2620(a): <i>"unless otherwise ordered by the Court to be more frequent."</i>Need revised order per #2 above and Local Rule 7.6.1. (The trust document should be attached and the signature line should appear last.)
<p>Reviewed by: skc</p>
<p>Reviewed on: 4-5-12</p>
<p>Updates:</p>
<p>Recommendation:</p>
<p>File 7 - Soto</p>

Report of Executor on Waiver of Account and Petition for allowance of
Compensation to Attorneys for Ordinary Services and for Final Distribution

DOD: 8/9/2011		CHARLENE MARIE MOISTNER, Executor, is petitioner. Accounting is waived. I & A - \$707,097.43 Executor - waives Attorney - \$17,141.94 (statutory) Distribution, pursuant to Decedent's Will, is to: Charlene Marie Moistner – two parcels of real property and \$19,582.79	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters 10/13/11		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

Reviewed by: KT
Reviewed on: 4/5/12
Updates:
Recommendation: SUBMITTED
File 8 - Caudle

DOD: 3/1/2009		<p>JENNIFER HUGHES and ELIZABETH CORDERO are petitioners.</p> <p>No other proceedings</p> <p>Will dated 12/17/1982 confirms Dewey E. Johnson's ½ community property interest to him and devises the decedent's ½ community property interest into a testamentary trust. (Please see note #3.)</p> <p>Petitioner requests court confirmation that ½ interest in real properties, investment accounts, bank accounts, 2006 Lexus, personal property and furniture and furnishings belongs to him and that ½ interest passes to him.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Amended Petition filed and set for hearing on 5/3/12</p> <p>Continued from 2/28/12. As of 4/5/12 the following issues remain:</p> <ol style="list-style-type: none"> #2b of the petition indicates the petitioners are the personal representatives of surviving spouse, Dewey E. Johnson. Need Letters showing appointment of Petitioners as personal representatives of Dewey E. Johnson. <u>Note:</u> Petitioners state they are the Trustees of the Dewey E. Johnson Living Trust, dated April 15, 2011. It appears that based on Probate Code §13650 Petitioners do not have standing to bring this petition until they have been appointed as Dewey E. Johnson's personal representative. Supplement to the Petition (this is actually an amended petition) was signed and verified by the attorney and not by the petitioners. Probate Code §1023 states an attorney cannot sign or verify for a fiduciary. Will of Joan Helen Johnson dated 12/17/1982 that is attached to the supplement to the petition devises her interest in the community property into a testamentary trust and <u>not</u> to her surviving spouse.
Cont. from 022812			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	N/A		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: KT			
Reviewed on: 4/5/12			
Updates:			
Recommendation:			
File 9 – Johnson			

Amended Spousal or Domestic Partner Property Petition (Prob. C. 13650)

DOD: 12/21/11		BARBARA F. THOMAS , surviving spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from		No other proceedings.	<p>1. Decedent's will devises the real property seeking to be passed with this Petition (2910 N. Van Ness, Fresno, CA) to his offspring in equal shares. Therefore it appears that his ½ community property interest in the Van Ness property would pass to his offspring and not to Petitioner.</p> <p>2. Waivers of interest have been filed by 2 of the decedent's 5 children. The waivers appear to disclaim interest in the property. There is no provision for Disclaimers of interest in this type of summary proceeding. Further, Pursuant to Probate Code 282, Disclaimers have the effect as if the person disclaiming interest predeceased the decedent. Petition does not state whether the two offspring disclaiming their interest have issue.</p> <p>Note: It is noted that the address where decedent signed his Will on 05/27/07 is 240 Harvard, Fresno. This address is also stated in the Petition as the Petitioner's (surviving spouse's) address.</p>	
✓	Aff.Sub.Wit.	Will dated 05/27/07 devises real property located in Piedmont, CA and located at 2910 N. Van Ness, Fresno to his offspring in equal shares. Will devises decedent's interest in his primary residence to spouse, Barbara Thomas.		
✓	Verified	<p>Petitioner states that she and the decedent were married in December 1955 and at the time of decedent's death, they had been married for over 55 years. They were married in California and have always resided in California and accumulated all of their property from their marital earnings. Decedent and Petitioner always intended and understood that all of the property described in this Petition was community property in which they each held a ½ interest. The real property seeking to be passed with this Petition were held in the name of the decedent and Petitioner as "husband and wife". No legal proceedings were ever instituted to terminate the marriage or to determine the rights of the parties to their community property, nor did the parties ever separate.</p> <p>Petitioner requests court confirmation that ½ interest in real property located at 2910 N. Van Ness, Fresno and ½ interest in a promissory note payable to Richard N. Thomas and Barbara Farmington Thomas executed by Daniel Kevin Thomas and Mila Thomas, dated on or about 01/14/99 in the original amount of \$327,250.00 secured by a Second Deed of Trust recorded 01/07/11 as Instrument 2011008309 of Fresno County records belongs to her and ½ interest passes to her pursuant to decedent's will.</p>		
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJA			
	Citation			
	FTB Notice			

Continued on Page 2

Waivers of Interest in Decedent's Primary Residence or Homestead filed by Daniel Kevin Thomas and James P. Thomas (*2 of decedent's 5 children*) on **04/09/12** state that they are filing these waivers in support of their mother's Petition. They state that their parents were married for 55 years and lived together in their home at 2910 N. Van Ness, Fresno for 28 years. Having read decedent's will dated 05/27/07, it is their understanding, based on discussions with their father and the language of the will that he intended to devise his one-half interest in the property to their mother upon his death. Although the address was not set forth in Article Four of the will, the Property was decedent's "homestead" or "primary residence" at the time he created the will and at the time he died. They state it is their understanding that their father intended to devise his interest in the property to his five children only in the event that their mother (Petitioner) did not survive him. Further, they both consent to the relief requested by their mother in her Amended Petition and waive any and all interest they may have in the property.

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

DOD: 11/09/99		JUDITH BURNSIDE FEGETTE, surviving spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		No other proceedings.	
		Decedent died intestate.	
Cont. from		Petitioner states that she and the decedent were married on 12/27/68 and the property seeking to be passed with this Petition was acquired during their marriage. All taxes, insurance and maintenance of the property were paid by the decedent and petitioner during their marriage. Decedent was an only child and both of his parents are deceased. Petitioner requests court confirmation that decedent's interest in real property located at 317 N. 2 nd Street, Fowler, CA passes to her pursuant to intestate succession.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		w/
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 04/05/12
			Updates: 04/10/12
			Recommendation: SUBMITTED
			File 11 - Burnside

**Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)**

DOD: 02/02/12		ANNA E. BARNETT , nominee of heirs, is Petitioner, and requests appointment as Administrator without bond. Full IAEA – ok All heirs waive bond. Decedent died intestate. Residence: Unincorporated Fresno County Publication: The Business Journal <u>Estimated Value of the Estate:</u> Personal property - \$ 60,000.00 Real property - \$112,000.00 Total - \$172,000.00 Probate Referee: RICK SMITH	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: JF

Reviewed on: 04/05/12

Updates:

Recommendation: SUBMITTED

File 12 - Barnett

**Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)**

DOD: 11/14/09		LOUIS LINZY HUDSON , son, is Petitioner and requests appointment as Administrator without bond. Full IAEA – ok All heirs waive bond. Decedent died intestate. Residence: Friant Publication: The Business Journal	NEEDS/PROBLEMS/COMMENTS: 1. The Petition states that the decedent had a predeceased spouse; however the name and date of death of the spouse is not stated in item 14 of the Petition as required pursuant to Local Rule 7.1.1D - If a beneficiary, heir, child, spouse, or registered domestic partner in any action before the Probate Court is deceased, that person's date of death shall be included in the petition.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	<u>Estimated Value of the Estate:</u> Real property - \$115,000.00 Probate Referee: RICK SMITH	
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: JF
Reviewed on: 04/05/12
Updates:
Recommendation:
File 13 - Hudson

14 Tony Alvarado, Tino Alvarado and Alyssa Alvarado (GUARD/P)

Case No. 10CEPR00144

Atty Quintero, Felicia Marie (pro per Maternal aunt/guardian of Tony and Tino)
 Atty Robles-Esquivel, Rosalyn (pro per Maternal grandmother/guardian of Alyssa)
 Atty Quintero, Veronica (pro per Petitioner/mother)

Petition for Visitation

Tony age: 9 years DOB: 5/21/2002		VERONICA MONIQUE QUINTERO , mother, is petitioner. FELICIA QUINTERO , maternal aunt, was appointed guardian of TONY and TINO on 4/6/10. – <i>personally served on 3/12/12.</i> ROSALYN ROBLES-ESQUIVEL , maternal grandmother, was appointed guardian on ALYSSA on 5/24/10. – <i>personally served on 3/12/12.</i> Father: TONY ALVARADO Paternal grandfather: Tony Alvarado Paternal grandmother: Christine Estrada Maternal grandfather: Abel Quintero	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of the <i>Notice of Hearing</i> on: a. Tony Alvarado (father) b. Tony Alvarado (paternal grandfather) c. Abel Quintero (maternal grandfather) <u>Note:</u> A Tony Alvarado was served by mail on 3/17/12 however it is unclear if it was the father Tony or the paternal grandfather Tony.
Tino age: 9 years DOB: 4/5/2003			
Alyssa age: 6 years DOB: 1/26/2006			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W/	
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Per minute order dated 4/6/10 mom has supervised visits every other Saturday from 10 a.m. to 12 p.m. in the home of Rosalyn Robles-Esquivel, supervised by Rosalyn Robles- Esquivel. Per minute order dated 11/16/10 father has supervised visits (supervised by Felicia Quintero) at the home of Christine Estrada Saturdays from 10 a.m. to 2 p.m. The parties can change the date or the time but may not increase or decrease the amount of time for the visitation.	
		Current Visitation Orders for ALYSSA: Per Order Appointing Guardian dated 5/24/12 father visits on the 1 st and 3 rd Saturday from 10 a.m. to 12 p.m. Supervised by Rosalyn Robles-Esquivel. Mom visits on the 2 nd and 4 th Saturday from 10 a.m. to 12 p.m. supervised by Rosalyn Robles-Esquivel.	Reviewed by: KT Reviewed on: 4/5/12 Updates: Recommendation: File 14 - Alvarado

Petitioner states she is the mother of Tony, Tino and Alyssa. Mom is requesting an increase in visitation as follows:

- Every weekend of the month from Friday at 6 p.m. to Sunday at 6 p.m. with all three children.
- Visits with Alyssa each week on Monday at 6 p.m. to Tuesday at 8 a.m. and Wednesday at 6 p.m. to Thursday at 8 a.m.

Petitioner asks that the court take into consideration the efforts she has made to improve her self-worth, her recovery and her parenting skills. Petitioner feels she is able to parent and nurture her children in a healthy and loving manner.

Petitioner further requests that she return to court in June of 2012, following the end of the current school year, to request sole physical custody of all the children.

First Accounting or Petition for Final Distribution

Age:		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR Calendared in Error; First and Final Account was approved on 03/28/12
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 04/05/12
		Updates:
		Recommendation:
		File 15 - Wolfe

DOD: 11/21/10			MARK LEHR , son/named Executor without bond, is Petitioner. Full IAEA – ok Will dated 01/30/04 Residence: Fresno Publication: The Fresno Bee <u>Estimated Value of the Estate:</u> Personal property - \$110,000.00 Annual income - 7,200.00 Real property - 150,000.00 Total - \$267,200.00 Probate Referee: STEVEN DIEBERT	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 02/22/12</u> As of 04/05/12, the following issues remain: 1. Petition is not marked at item 5(a)(7 or 8) regarding issue of a predeceased child. 2. Petition is not marked at item 5(b) regarding stepchild or foster child. 3. Need Order and Letters.
Cont. from 022212				
S/P	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/		
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters	x		
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: JF
Reviewed on: 04/05/12
Updates: 04/10/12
Recommendation:
File 16 - Lehr

17 **Maria M. Lopez (CONS/P)**
 Atty Aguiar, Lupe (pro per Petitioner/daughter)
 Atty Rindlisbacher, Curtis D. (Court appointed for the Conservatee)

Case No. 12CEPR00216

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 182 2680-2682)

Age: 82 years		<u>PUBLIC GUARDIAN was appointed</u> <u>Temporary Conservator by minute order</u> <u>TEMPORARY EXPIRES 4/12/12</u>	NEEDS/PROBLEMS/COMMENTS: Court Investigator <u>has not</u> Advised Rights (proposed conservatee was visiting relatives in Arizona). 1. Petition does not state why a conservatorship is necessary. 2. Petition requests dementia powers but does not include the dementia attachment. 3. Petition does not include the names and address of all the relatives, within the 2 nd degree, of the proposed conservatee (second degree relatives include, children, grandchildren and siblings of the proposed conservatee). 4. Need <i>Notice of Hearing</i> . 5. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the petition on all relatives within the 2 nd degree. 6. Need <i>Citation</i> . 7. Need proof of personal service of the <i>Citation</i> on the proposed conservatee, Maria M. Lopez. 8. <i>Capacity Declaration</i> of Dr. Salvador Gonzales was not dated. 9. <i>Capacity Declaration</i> of Dr. Salvador Gonzales was not initialed at #7b in support of medical consent powers. 10. Need video viewing receipt.
DOB: 10/7/1929			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt	X	
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	X	
	FTB Notice		
		Declaration of Salvador Gonzales (undated) supports request for medical consents powers. Petitioner states ???? Court Investigator Julie Negrete's Report filed on 4/5/12	
		Reviewed by: KT Reviewed on: 4/6/12 Updates: Recommendation: File 17 - Lopez	

Atty George, Rhonda (pro per – maternal grandmother/Petitioner)

Atty Bales, Carolyn (pro per – maternal great-grandmother/Petitioner)

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 3 DOB: 11/27/08	<p align="center"><u>TEMPORARY GRANTED EX PARTE;</u> <u>EXPIRES 04/12/12</u></p> <p align="center"><u>GENERAL HEARING 06/15/12</u></p> <p>RHONDA GEORGE, maternal grandmother, and CAROLYN BALES, maternal great-grandmother, are Petitioners.</p> <p>Father: RAY RODRIGUEZ – <i>personally served 04/06/12</i></p> <p>Mother: KIMBERLY RODRIGUEZ – <i>personally served 04/06/12</i></p> <p>Paternal grandfather: ENRIQUE RODRIGUEZ Paternal grandmother: MINERVA ATKISSON</p> <p>Maternal grandfather: TRACY GEORGE</p> <p>Petitioners state that Caleb has lived in Petitioner Rhonda George's home since birth. The parents were also living there, but have moved. Petitioners state that they are concerned for Caleb's safety when he is with his parents because his father is an active bulldog gang member and a lot of gang affiliated people are going in and out of his home. Petitioners state that temporary guardianship is necessary to ensure Caleb is in a safe and stable environment, has nutritious meals and can have the life of a normal little boy.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Item 1c(2) of petition indicates that child may be an Indian child. Therefore, a <i>Notice of Child Custody Proceeding for Indian Child</i> (Form ICWA-030), must be served together with copies of petition and all attachments, including this form, on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested. (Please see Probate Code 1460.2, and CA Rules of Court 7.1015)</p> <p>2. Per item 1, above, need proof of service of notice, including copies of the notices sent and all return receipts and responses received, pursuant to Probate Code 1460.2(d).</p>	
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			
✓ Conf. Screen			
Letters			x
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			x
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF
Reviewed on: 04/06/12
Updates: 04/09/12
Recommendation:
File 18 – George-Rodriguez

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 19 months DOB: 09/12/10	<p><u>TEMPORARY GRANTED EX PARTE;</u> <u>EXPIRES 04/12/12</u></p> <p><u>GENERAL HEARING 06/04/12</u></p> <p>ELAINE THOMAS, paternal grandmother, is Petitioner.</p> <p>Father: KIRK FILGAS – <i>consent and waiver of notice filed 04/02/12</i></p> <p>Mother: RACHEL STAUFFER – <i>personally served 04/04/12</i></p> <p>Paternal grandfather: DECEASED</p> <p>Maternal grandfather: GEORGE ISOM Maternal grandmother: PATRICIA KILPATRICK</p> <p>Petitioner states Zachary is in imminent danger while in the care of his mother. She has made statements to various people that she is going to hurt Zachary and has stated that she shook him. Further, Zachary has suffered severe diaper rashes while in his mother's care, as it appears she is not properly caring for him. Petitioner states that it appears the mother needs mental health treatment and has admitted she needed to be checked into a hospital. Petitioner states that Zachary's father is a recovering alcoholic, he has recently been released from incarceration for alcohol related offenses and consents to her appointment as guardian. Petitioner states that temporary guardianship is necessary to for Zachary's safety and well-being.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.		
✓ Conf. Screen		
Letters		x
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	x	
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 04/06/12</p> <p>Updates: 04/09/12</p> <p>Recommendation:</p> <p>File 19 - Filgas</p>	

(1) Waiver of Accounting and (2) Petition for Allowance of Compensation to Attorney and for (3) Final Distribution (Prob. C. 10954, 11640)

DOD: 10-12-10		GEORGE L. WEIMERT , Administrator with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Examiner has interlineated the order to reflect the dollar amount of the cash being distributed pursuant to Local Rule 7.6.1.A.
		Accounting is waived.	
		I&A: \$703,647.00	
		POH: \$703,647.00 (\$63,348.00 cash plus securities and business interests)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/O	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
<input checked="" type="checkbox"/>	Letters	3-24-11	
Duties/Supp			
Objections			
Video Receipt			
CI Report			
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: skc Reviewed on: 4-6-12 Updates: Recommendation: SUBMITTED File 20 - Weimert